

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

CELLTRACE LLC,	§	
Plaintiff,	§	
v.	§	CIVIL ACTION NO. 6:09-cv-294
AT&T INC., et al ,	§	
Defendants.	§	JURY TRIAL DEMANDED
	§	
	§	
	§	

PLAINTIFF’S UNOPPOSED MOTION TO AMEND DOCKET CONTROL ORDER

Plaintiff Celltrace LLC (“Celltrace”) hereby submits this Unopposed Motion to Amend the Docket Control Order.

Celltrace respectfully requests that the Court amend the Docket Control Order to allow the parties to file letter briefs seeking permission to file Daubert motions to rebuttal expert reports. The Court’s March 7, 2011 Order (Dkt. No. 307) amending the Docket Control Order set the parties’ deadline to file letter briefs seeking permission to file Daubert motions on March 14, 2011. The Court’s March 28, 2011 Order (Dkt. No. 355) amending the Docket Control Order set the parties’ deadline to submit rebuttal expert witness reports on April 12, 2011. Absent the Court granting this amendment the Docket Control Order, the parties will be deprived of an opportunity to request permission to file Daubert motions on rebuttal expert reports.

This motion is unopposed and will not result in the delay of any deadlines set forth by this Court. Accordingly, Celltrace moves the Court to amend the current schedule as follows:

Deadline	Description
April 22, 2011	Deadline to file letter brief seeking permission to file Daubert motions regarding rebuttal expert witnesses.
April 28, 2011	Deadline to file letter briefs in opposition to Daubert motion requests regarding rebuttal expert witnesses.
May 3, 2011	Deadline to file reply letter brief in support of Daubert motion requests regarding rebuttal expert witnesses.
May 9, 2011	Deadline for filing opening Daubert motions regarding rebuttal expert witnesses. Motions to extend page limits will only be granted in exceptional circumstances.
May 16, 2011	Deadline for filing oppositions to Daubert motions regarding rebuttal expert witnesses. Motions to extend page limits will only be granted in exceptional circumstances.
May 20, 2011	Deadline for filing replies in connection with Daubert motions regarding rebuttal expert witnesses.

Dated: April 19, 2011

Respectfully submitted,
/s/ George Scott
Brent N. Bumgardner
Attorney-in-Charge
Texas State Bar No. 00795272
Edward R. Nelson, III
Texas State Bar No. 00797142
Barry J. Bumgardner
Texas State Bar No. 00793424
Decker A. Cammack
Texas State Bar No. 24036311
Steven W. Hartsell
Texas State Bar No. 24040199
NELSON BUMGARDNER CASTO, P.C.
3131 West 7th Street, Suite 300
Fort Worth, Texas 76107
(817) 377-9111
(817) 377-3485 (fax)
bbumgardner@nbclaw.net
enelson@nbclaw.net
barry@nbclaw.net
dcammack@nbclaw.net
shartsell@nbclaw.net

Leslie D. Ware
Texas State Bar No. 00785179
lware@thewarefirm.com
Donald Puckett
Texas State Bar No. 24013358
dpuckett@thewarefirm.com
Mark W. Born
Texas State Bar No. 24034334
mborn@thewarefirm.com
Eric S. Tautfest
Texas State Bar No. 24028534
etautfest@thewarefirm.com
George Scott
Texas State Bar No. 24061276
gscott@thewarefirm.com
THE WARE FIRM
2101 Cedar Springs Road, Suite 1900
Dallas, Texas 75201
(214) 744-5000
(214) 744-5013 (fax)

T. John Ward, Jr.
Texas State Bar No. 00794818
Jack Wesley Hill

Texas State Bar No. 24032294
WARD & SMITH LAW FIRM
111 W. Tyler Street
Longview, Texas 75601
(903) 757-6400
(903) 757-2323 (fax)
jw@jwfirm.com
wh@jwfirm.com

Eric M. Albritton
Texas State Bar No. 00790215
ALBRITTON LAW FIRM
P.O. Box 2649
Longview, TX 75606
(903) 757-8449
(903) 758-7397 (fax)
ema@emafirm.com

**ATTORNEYS FOR PLAINTIFF
CELLTRACE LLC**

CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of April, 2011, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, Tyler Division, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ George Scott
George Scott